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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,564	02/19/2004	Laura Culli	P24613	1702
7055	7590	02/14/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			NGUYEN, DUC MINH	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/780,564	CULLI ET AL.	
	Examiner Duc Nguyen	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. ____ .   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: ____ .                                   |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-6, 8, 11-13, 15, 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gross et al (6,018,575).

Consider claims 1, 8, 15. Gross teaches a switching system comprising a hub switch (DAP 154 in associated with platform 10, noted that platform 10 functions as a platform and a switch; column(s) 3, line(s). 16 through column(s) 4, line(s) 50) that receives at least one rerouted call from at least one corresponding original destination switch (column(s) 6, line(s) 51-62), the hub switch initiating a trigger to a network platform (platform 10 in associated with DAP 154; column(s) 6, line(s) 54 through column(s) 7, line(s) 16) that obtains the new called party destination number (subscriber's alternate destination 178; column(s) 6, line(s) 54 through column(s) 7, line(s) 16), the hub switch being designated before the call is placed to receive rerouted calls from the old service destination switch (CIC generated by the LEC switch 146 that designates the call as a call is destined to the platform 10; column(s) 3, line(s) 16-24; column(s) 6, line(s) 14-28).

Consider claims 4, 11, 18. Gross further teaches the hub switch further forwarding the routing number prefix and a code identifying the at least one original destination switch (it is

noted that the routing label is specifically used in the context of the SS7 MTP level 3 protocol to identify the field which contains the origination point code and destination point code. The LEC switch 146 (e.g., the original destination switch) routes the call to the IEC switch 150.

Therefore, the routing label would contain a code that identifies the original destination switch) to the network platform to be used to determine a number plan area (NPA) of the old called party destination number (col. 6, ln. 40-67, col. 7, ln. 1-16).

Consider claims 5, 12, 19. Gross further teaches the routing number prefix is determined based on a number plan area (NPA) corresponding to an area served by the at least one original destination switch (column 6, lines 14-27).

Consider claims 6, 13, 20. Gross further teaches a database (DAP 154) that stores the old called party destination number (column 6, lines 17-21; column 6, line 63 to column 7, lines 16) in association with the new called party destination number (column 6, line 63 to column 7, lines 16), the network platform obtaining the new called party destination number from the database and forwarding the new called party destination number to the hub switch (column 6, line 63 to column 7, lines 16).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 2-3, 7, 9-10, 14, 16-17, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross et al (6,018,575) in view of Slusky (5,487,111).

Consider claims 2-3, 9-10, and 16-17. Gross does not teach determining whether the calling party or the called party is charged for the forwarding call.

Slusky teaches determining whether the calling party or the called party is charged for the forwarding call (column 7 lines 55-67; column 8 lines 37-44; figure 5, steps 529-530).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Slusky into the teachings of Gross in order to conveniently provide both the caller and called parties the option of paying for the forwarding call in case either one of the parties cannot pay for the call.

Consider claims 7, 14, 21. Slusky further teaches determining whether the calling party or the called party is charged for the forwarding call (column 7 lines 55-67; column 8 lines 37-44; figure 5, steps 529-530).

#### ***Response to Arguments***

5. Applicant's arguments filed 11/21/05 have been fully considered but they are not persuasive.

Regarding the Gross reference, applicant states that Gross does not teach a hub switch that is designated before the call is placed to receive rerouted calls from the old service destination switch.	Please see the above revised rejection. Noted that the applicant must consider the reference as a whole, not just the parts and/or portions of the reference previously cited by the examiner.
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***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (571)272-7503. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Duc Nguyen  
Primary Examiner  
Art Unit 2643

1/25/06